

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA :**

**v.**

**RICHARD IRIZARRY**

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**CRIMINAL NO. 99-180**

**GOVERNMENT’S REQUESTED JURY VIOR DIRE QUESTIONS**

The United States of America by its undersigned attorneys, Michael R. Stiles, United States Attorney for the Eastern District of Pennsylvania, and Floyd J. Miller, Assistant United States Attorney, respectfully requests this Honorable Court to ask the following questions of the jury panel during the jury selection process at the trial of the case.

1. In this case, the defendant is charged with the offense of being a felon in possession of a firearm. The government alleges that the defendant, having previously been convicted of a felony in the Commonwealth of Pennsylvania, did knowingly possess a firearm on October 31, 1998. Do you believe that you would not be able to decide this case fairly because of the nature of the charge?
2. Do you belong to the National Rifle Association or any other organization which takes a position regarding the legality of firearms?
3. Do you own or possess any type of firearm? If so, for what purpose?
4. Do you belong to a gun club or shooting range?
5. Do you hold the belief that all people should be permitted by law to own or possess firearms?

6. Do you believe that people should be required to have a license firearms to be able to carry firearms them on the streets or that people should not be required to register firearms or ammunition?

7. Are you a member of a neighborhood watch group or other crime prevention group?

8. Are you personally acquainted with the defendant, or do you or any member of your family have any connection of any kind, personal or business, with the defendant?

9. Do you know counsel for the Government or counsel for the defendant? If yes, please explain.

10. Are you acquainted with any of the Government's witnesses who may include: (a) Special Agents Genevieve MacDonald and Jim Uvena of the Bureau of Alcohol, Tobacco and Firearms; (b) Philadelphia Police Detective David Plumer; and (c), Philadelphia Police Officers Eugene Harris and Yvette Smothers?

11. Do you have opinions about the way in which law enforcement agents treat certain members of the community, or about the way in which the criminal justice system treats certain members of the community, such that you would not be able to decide this case based solely upon the evidence presented at trial?

12. Have you ever had, or do you now have, or do you presently anticipate having, any case or dispute with or claim against the United States Government, including the Internal Revenue Service?

13. Have you had any dealing whatsoever with the United States Government in connection with which you feel that the government did not give you fair treatment? Please explain briefly.

14. Do you have any feeling of hostility toward the Bureau of Alcohol, Tobacco, and Firearms, or toward the Philadelphia Police Department?

15. Have you ever been a juror before? If yes, where, when, and in what type of case (civil or criminal)? If yes, did the jury reach a verdict?

16. Have you or any member of your immediate family, close friends, or relatives ever been the victim of a crime or participated in a criminal case as a complainant, witness for the Government, or the Commonwealth, or in some other capacity? If yes, please explain.

17. Have you or any member of your immediate family ever participated in a criminal case as a defendant, witness for the defense, or in some other capacity? If yes, please explain.

18. Do you feel that you could not judge another human being for a criminal act, whether on religious, moral, personal or any other ground?

19. If you were representing the government or the defendant in this case, is there any reason why you would not be content to have the case decided by someone in your frame of mind?

Respectfully submitted,

**MICHAEL R. STILES**  
*United States Attorney*

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**J. HUNTLEY PALMER, JR.**  
*Assistant United States Attorney*  
*Chief, Firearms Unit*

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**FLOY D J. MILLER**  
*Assistant United States Attorney*

DATED: June \_\_\_, 1999

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Government's Requested Jury

Voir Dire Questions was sent on this date to:

Stephan J. Marley III, Esq.  
Assistant Federal Defender  
Federal Court Division  
Defender Association of Philadelphia  
437 Chestnut Street  
Suite 800 - Lafayette Building  
Philadelphia, PA 19106

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**FLOYD J. MILLER**  
*Assistant U.S. Attorney*

DATE\_\_\_\_\_